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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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02/25/2004

John M. Sebastian

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EXAMINER

DESAI, ANISH P

ART UNIT

PAPER NUMBER

1771

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
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3 MONTHS

04/06/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/06/2007.

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<b>Office Action Summary</b>	Application No. 10/786,206	Applicant(s) SEBASTIAN ET AL.	
	Examiner Anish Desai	Art Unit 1771	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 January 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,5-7,11-20,22-24,29 and 30 is/are pending in the application.  
     4a) Of the above claim(s) 23,24 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-7,11-20,22 and 30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The applicant's arguments in response to the Office action dated 10/19/06 have been fully considered.

1. Claims 1, 5-7, 11-20, 22, and 30 are pending. Claims 2-4, 8-10, 21, and 25-28 are cancelled. Claims 23, 24, and 29 are withdrawn.
2. All claims objections are withdrawn in view of present amendment and response (see pages 3-4 of 01/15/07 amendment).
3. All 112 rejections are withdrawn in view of present amendment and response (see pages 3-4 of 01/15/07 amendment).
4. All Art rejections are maintained.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 5-7, and 11-14 are rejected under 35 U.S.C. 103(a) as obvious over Temperante et al. (US 5,804,625) in view of Riswick et al. (US 5,804,519) substantially as set forth in 10/19/06 Office Action.

With regards to claim 1, the preamble is directed to "A hydrophilic article exhibiting a water contact angle of  $< 90^\circ$ ". Thus, the claim is directed to a FINAL product (i.e. hydrophilic article). Thus, the claim requirement of migration of a surfactant from adhesive layer to the first surface of the polymer layer is not considered to be materially relevant to the structure of the FINAL product (i.e. hydrophilic article) as

instantly claimed. To the examiner, any reference disclosing a hydrophilic article having a water contact angle of  $<90^\circ$  wherein the hydrophilic article comprises a thermoplastic film layer having a nonionic fluorochemical surfactant and an adhesive layer bonded to the thermoplastic film layer wherein the adhesive layer comprising a nonionic fluorochemical surfactant will read on the claim.

With respect to claim 1, Temperante discloses durably hydrophilic thermoplastic fiber comprising a thermoplastic polymer and a fluoroaliphatic group containing nonionic surfactant (column 2, lines 41-45). Additionally, Temperante's invention describes durably hydrophilic films and durably hydrophilic fabrics and webs constructed from said fibers (column 2, lines 52-54). The invention of Temperante also provides a multi-layer, aqueous liquid-absorbent articles comprising an aqueous media impervious backing sheet, an aqueous media permeable topsheet, and an aqueous liquid absorbent (i.e. hydrophilic) layer which are useful for constructing disposable diapers, wipes, or towels, sanitary napkins etc (column 2, lines 59-67). The aqueous liquid absorbent (i.e. hydrophilic) layer (core) of Temperante is positioned between the topsheet and the backing sheet (column 2, lines 64). Further, the hydrophilic polymers of Temperante's invention may also be used to input hydrophilicity to the top sheet of such an article where hydrophilicity is desired (column 3, lines 60-66). Temperante further teaches that the thermoplastic polymers useful in his invention are generally hydrophobic polymers such as polypropylene, polyethylene, and polybutylene (column 4, lines 13-16). Further, Temperante discloses that the permeable top sheets can comprise materials such as polyester, polyolefin, rayon, and the like (column 8, lines 57-59).

Art Unit: 1771

Further, regarding claim 1 requirement of a thermoplastic polymer **film**, Temperante teaches suitable materials for both the top sheets and the backing sheets are well known in the art (column 8, lines 61-62). Additionally, Temperante incorporates US Pat No. 4,589,876 to Van Tillberg by reference that provides more detailed descriptions of sanitary napkins and suitable materials for use therein at column 8, line 66. The incorporated reference of Van Tillberg discloses a sanitary napkin that includes a liquid pervious topsheet, a liquid impervious backsheet and an absorbent core interposed between the topsheet and the backsheet (column 2, lines 8-13). According to Van Tillberg, the topsheet is liquid permeable and can be made from any of the conventional materials for this type of use. Nonlimiting examples of suitable materials that can be utilized as the topsheet are woven and nonwoven polyester, polypropylene, nylon and rayon are formed thermoplastic films, with formed film being preferred (column 3, lines 30-38). Further, Van Tillberg discloses that the **formed films are preferred for** topsheet because they are pervious to liquids and yet non-absorbent. Thus, the surface of the formed film, which is in contact with the body, remains dry and is more comfortable to the wearer (column 3, lines 43-47). Thus, the topsheet of Temperante is formed of a thermoplastic polymer film and is equated to the claimed thermoplastic polymer film.

Temperante is silent as to teaching of adhesive layer bonded to the surface of the thermoplastic polymer film and the adhesive layer comprising a nonionic fluorochemical surfactant. However, Riswick teaches a hot melt adhesive composition comprising a nonionic fluorochemical surfactant in the amount of 0.1 to 10 parts by

Art Unit: 1771

weight per 100 parts adhesive (abstract). The hot melt adhesive of Riswick is useful in laminating applications such as in diapers (column 1, lines 13-15, lines 20-22). Further Riswick teaches a variety of nowoven and tissue applications have been developed which require that the hot melt adhesive demonstrate the ability to transmit the liquid from the nonwoven substrate into the superabsorbent or fluff core substrate. This property is referred to as strike through, is especially important in disposable diaper, sanitary napkin, and bed pad construction where it is desired to draw the moisture away from the body and into the absorbent core as quickly as possible after the nonwoven is wetted (column 1, lines 35-43). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the hot melt adhesive of Riswick with the nonionic fluorochemical surfactant in the disclosed amount in the multi-layer, aqueous liquid-absorbent article of Temperante, motivated by the desire to transmit the moisture and liquid away from the body and into the absorbent core.

With respect to the claim requirement of hydrophilic article having water contact angle of  $< 90^\circ$ , it is the examiner's position that the multi-layer, aqueous liquid-absorbent article of Temperante as modified by Riswick necessarily has a water contact angle of less than  $90^\circ$  because like materials have like properties. In the presently claimed invention, the hydrophilic article of the applicant comprises a thermoplastic polymer film layer with an adhesive layer bonded to the thermoplastic polymer film layer. The adhesive layer of the applicant comprises a nonionic fluorochemical surfactant that migrates to the thermoplastic polymer film layer. The multi-layer, aqueous liquid-absorbent article of Temperante as modified by Riswick comprises

Art Unit: 1771

thermoplastic film formed of thermoplastic polymer. Further, the thermoplastic film of Temperante as modified by Riswick comprises a nonionic fluorochemical surfactant. Additionally, the multi-layer, aqueous liquid-absorbent article of Temperante as modified by Riswick comprises a hot melt adhesive wherein the hot melt adhesive comprises nonionic fluorochemical surfactant. Therefore, the water contact angle of less than 90° would have been present. Note that reliance upon inherency is not improper even though restriction is based on Section 103 instead of Section 102. *In re Skoner*, et al. (CCPA) 186 USPQ 80.

With respect to claims 5-7, Temperante discloses a nonionic fluorochemical surfactant with the claimed formula at column 4, lines 36-67 and at column 5, lines 1-43, which is added to the thermoplastic polymers.

With regards to claims 11 and 12, Temperante is silent as to teaching of the adhesive layer comprising at least 3 wt% of the surfactant (claim 11) and the adhesive layer comprising 5 to 40 wt% of the surfactant (claim 12). However, as previously noted, Riswick teaches a hot melt adhesive composition comprising a nonionic fluorochemical surfactant in the amount of 0.1 to 10 parts by weight per 100 parts adhesive (abstract). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use the adhesive of Riswick comprising a nonionic fluorochemical surfactant in the amount as taught by Riswick in the invention of Temperante to bond the topsheet (thermoplastic polymer film) with the absorbent core layer, motivated by the desire to transmit the moisture and liquid away from the body and into the absorbent core.

With regards to claims 13 and 14, Temperante discloses thermoplastic films formed of thermoplastic polymers such as polyamide, polyurethane, and polyolefin (e.g. polypropylene) (abstract and column 1, lines 17-18). Additionally, as previously noted the incorporated reference of Van Tillberg discloses that the topsheet can be formed of a polypropylene (column 3, lines 30-38).

6. Claims 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Temperante et al. (US 5,804,625) in view of Riswick et al. (US 5,804,519) as applied to claim 1 above, and further in view of Johnston et al. (US 5,514,120) substantially as set forth in 10/19/06 Office Action.

The invention of Temperante as modified by Riswick is previously disclosed. Temperante is silent as to teaching of thermoplastic film layer is patterned and the thermoplastic polymer film layer comprising a microstructure-bearing surface with a plurality of channels that facilitate the directional flow of a liquid disposed thereon. However, Johnston teaches liquid management members for absorbent articles such as meat tray liners, bed pads, baby diapers, sanitary napkins, and adult incontinent pads (Column 1, lines 10-14). The article of Johnston comprises an absorbent core disposed between a topsheet and a backsheet and further comprises a liquid management member that has a microstructure bearing hydrophilic surface with a plurality of channels, which reads on the patterned thermoplastic film layer. The liquid management member is in a sheet form (Column 2, line 37) and promotes rapid directional spreading of liquids (Abstract). The liquid management member of Johnston is formed using thermoplastic polymers (Column 4, lines 41-42). Thus, it would have



Art Unit: 1771

been obvious to one having ordinary skill in the art at the time the invention was made, to create the microstructure-bearing surface with a plurality of channels (patterned thermoplastic film) in the thermoplastic film of Temperante, motivated by the desire to promote rapid direction spreading of liquids when the thermoplastic film of Temperante is used in the multi-layer, aqueous liquid-absorbent article.

7. Claims 1,13-17, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goeman et al. (US 2002/005874A1) in view of Bradley et al. (US 2003/0152730A1) substantially as set forth in 10/19/06 Office Action.

Goeman teaches thermoplastic film comprising a fluorochemical hydrophilicity imparting non-ionic compound (0044). Further, the thermoplastic film of Goeman is coated with a pressure sensitive adhesive (0052). Additionally, Goeman discloses that the coated films were covered with siliconized paper release liner (0061). Further, regarding claims 13-15, Goeman teaches thermoplastic polymers in paragraph 0022, which read on claims 13-15. Regarding claim 30, although Goeman does not explicitly teach the T<sub>g</sub> of the adhesive layer and thermoplastic polymer layer are at or below 0°C, it is reasonable to presume that the T<sub>g</sub> of the pressure sensitive adhesive and thermoplastic film of Goeman is at or below 0°C because like materials have like properties. Goeman and the applicant disclose essentially same materials for the thermoplastic films and adhesive (paragraph 0022 and 0052 of Goeman and pages 6 and 19 of the specification), thus the presently claimed properties of T<sub>g</sub> of the adhesive layer and thermoplastic polymer layer are at or below 0°C would have been present.

Goeman is silent as to teaching of an adhesive layer comprising a nonionic fluorochemical surfactant. However, Bradley teaches a multilayer pressure sensitive correction tape wherein the pressure sensitive adhesive layer comprises a nonionic fluoroaliphatic polymeric ester surfactant (0047). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add the nonionic fluoroaliphatic polymeric ester surfactant of Bradley in the pressure sensitive adhesive of Goeman, motivated by the desire to properly wet the surface of the thermoplastic film with the pressure sensitive adhesive.

With respect to the preamble limitation of hydrophilic article exhibiting a water contact angle of less than  $90^\circ$ , it is the examiner's position that the pressure sensitive adhesive coated thermoplastic film of Goeman as modified by Bradley necessarily has a water contact angle of less than  $90^\circ$ , because like materials have like properties. In the presently claimed invention, the hydrophilic article of the applicant comprises a thermoplastic polymer film layer with an adhesive layer bonded to the thermoplastic polymer film layer. The adhesive layer of the applicant comprises a nonionic fluorochemical surfactant that migrates to the thermoplastic polymer film layer. The pressure sensitive adhesive coated thermoplastic film of Goeman as modified by Bradley comprises a thermoplastic film comprising a nonionic fluorochemical surfactant and a pressure sensitive adhesive layer, wherein the pressure sensitive adhesive layer comprises nonionic fluoroaliphatic surfactant. Thus, the water contact angle of less than  $90^\circ$  would have been present. Note that reliance upon inherency is not improper

Art Unit: 1771

even though restriction is based on Section 103 instead of Section 102. *In re Skoner*, et al. (CCPA) 186 USPQ 80.

8. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goeman et al. (US 2002/005874A1) in view of Bradley et al. (US 2003/0152730A1) as applied to claim 1 above, and further in view of Xie et al. (US 6,503,620B1) substantially as set forth in 10/19/06 Office Action.

The invention of Goeman as modified by Bradley is previously disclosed. Goeman is silent as to teaching of at least a portion of the hydrophilic surface with an image pattern of ink and ink is aqueous ink as claimed. However, Xie teaches multilayer pressure sensitive adhesive (PSA) labels. The facestock of Xie can be made from a sheet of plastic, which can be printed with ink (column 16, lines 9-10). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to print on the thermoplastic film of Goeman with the ink, motivated by the desire to enhance the esthetics of thermoplastic film. With respect to the claim limitation of "aqueous ink", it is the examiner's position that in the final product, there would be no water present and all the ink would have been dried, thus in absence of any unexpected results it would have been obvious to one having ordinary skill in the art at the time the invention was made to print on the thermoplastic film of Goeman with the ink, motivated by the desire to enhance the esthetics of the thermoplastic film.

***Response to Arguments***

9. Applicant's arguments filed 01/15/07 have been fully considered but they are not persuasive.

103-type rejections of Temperante et al. (US 5,804,625) in view of Riswick et al. (US 5,804,519) are maintained for the following reasons.

The applicant argues that the reference of Temperante teach the addition of surfactants to the molten thermoplastic polymer wherein the instant invention provides an "adhesive delivery system" whereby the surfactant may continually diffuse through the adjacent thermoplastic polymer film layer and replenish the hydrophilicity. According to the applicant said adhesive delivery system is neither taught nor suggested by the reference (pages 7-8 of 01/15/07 amendment). The examiner agrees with the applicant that the reference of Temperante teaches to add surfactant to the molten thermoplastic polymer. However, the applicant's arguments with respect to an "adhesive delivery system" are not found persuasive, because said arguments are not commensurate in scope with the claims. Claims do not require an "adhesive delivery system" as alleged by the applicant.

The applicant argues that the secondary reference of Riswick teaches of applying hotmelt adhesive to a porous nonwovens and tissues. Thus, the reference of Riswick does not teach or suggest applying the hotmelt adhesive to a nonporous thermoplastic film layer as required by the claims (page 9 of 01/15/07 amendment). The examiner agrees with the applicant that the reference of Riswick teaches of applying hotmelt adhesive to porous nonwovens and tissues. However, the examiner

Art Unit: 1771

respectfully disagrees with the applicant that the claim requires a **nonporous** thermoplastic film layer. Claim only recites a "thermoplastic polymer film layer", which **does not exclude a porous film**. As to the argument that the hotmelt of Riswick is applied to nonwovens and tissues and therefore films are not taught or suggested are not found persuasive, because as previously noted the primary reference of Temperante discloses the topsheet that is formed of a thermoplastic **film** (topsheet) and the secondary reference of Riswick will bond the thermoplastic **film** to the absorbent core just like it will bond the nonwovens to an absorbent core, because it is an adhesive. Further, such combination provides a reasonable expectation of success, which is the hotmelt of Riswick when used to bond the topsheet (thermoplastic polymer film) to the absorbent core layer of Temperante, it has ability to draw the moisture away from the body and into the absorbent core as quickly as possible once the topsheet is wetted.

The applicant argues that the Office Action provides no argument or reason for rendering the backing sheet hydrophilic (page 9 of 01/15/07 amendment). The examiner respectfully reminds the applicant that said argument is irrelevant to the basis of the rejection, because the examiner is not relying on the backing sheet for the rejections of claims. Further, the applicant asserts that the references are silent on the limitation of migration (page 9 of 01/15/07 amendment). The examiner respectfully disagrees. As previously noted above, the claim limitation of a surfactant migration from adhesive to the first surface of the polymeric film layer is materially irrelevant to the structure of the FINAL product (i.e. a hydrophilic article) of presently claimed invention,

Art Unit: 1771

because in the FINAL product all of the surfactant would have migrated to the thermoplastic film layer rendering it hydrophilic. Accordingly, art rejections are maintained.

103-type rejections of Temperante in view of Riswick and further in view of Johnston et al. (US 5,514,120) are maintained for the following reasons.

The applicant argues that the reference provides no justification for making the combination as suggested by the examiner. The examiner respectfully requests the applicant to refer to the page 6 of the 10/19/06 Office Action, which provides the reasoning to combine the reference of Johnston with Temperante in order to teach the required claim limitations of "thermoplastic polymer film layer is patterned" (claim 18) and "thermoplastic polymer film layer comprises a microstructure-bearing surface with a plurality of channels that facilitate the directional flow of a liquid disposed thereon" (claim 22). Johnston discloses a liquid management member in a sheet form that is formed of a thermoplastic polymer (page 6 of 10/19/06 Office Action). Further, the liquid management member of Johnston has a microstructure bearing hydrophilic surface with plurality of channels and it promotes the rapid directional spreading of liquids (page 6 of 10/19/06 Office Action). The topsheet of Temperante is pervious to aqueous media (column 3, line 56-57). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to create a microstructure-bearing surface with a plurality of channels in the topsheet (thermoplastic film layer) of Temperante, motivated by the desire to promote the rapid directional spreading of liquids. Accordingly, art rejections are maintained.

103-type rejections of Goeman et al. (US 2002/0058744A1) in view of Bradley et al. (US 6,852,409) are maintained for the following reasons.

The applicant argues that the migration of additive [surfactant] to an adjacent layer is not contemplated in the reference of Goeman (page 11 of 01/15/07 amendment) and that the examiner does not address the claim limitation of "wherein the thermoplastic layer is initially hydrophobic prior to the surfactant migration". The examiner respectfully disagrees. As noted previously, the claim limitation of a surfactant migration from adhesive to the first surface of the polymeric film layer is materially irrelevant to the structure of the FINAL product (i.e. a hydrophilic article) of presently claimed invention, because in the FINAL product all of the surfactant would have migrated to the thermoplastic film layer rendering it hydrophilic. Similarly, the claim limitation of the thermoplastic layer is initially hydrophobic is materially irrelevant to the structure of the FINAL product as presently claimed.

The applicant argues that there is no motivation for providing the adhesive of Bradley to the article of Goeman. Further, the applicant asserts that the reference teaches away from using the adhesive of Bradley as Goeman already addresses problem of imparting hydrophilicity. As to the applicant's argument regarding the motivation, the motivation to combine the teachings of Bradley and Goeman is provided on pages 7-8 of 10/19/06 Office Action). Further, as to the applicant's argument that the reference teaches away of using the adhesive of Bradley, the examiner finds no such suggestion in Goeman. In fact, the primary reference of Goeman desires the adhesive

Art Unit: 1771

coating. At paragraph 0052, Goeman teaches that according to an embodiment of the present invention, the film can be provided with an adhesive coating.

The applicant argues that the polymers listed on paragraph 40 of Bradley do not appear to be thermoplastic as required by the instant claim 1. The applicant asserts that the examiner is merely selecting one element of Bradley and making an arbitrary combination with Goeman without plausible motivation. Further, the examiner is using hindsight reconstruction based on the instant teachings. The examiner respectfully disagrees. The examiner is not relying on paragraph 40 of Bradley to teach the thermoplastic polymer [film] of claim 1, but rather on Goeman to teach the thermoplastic polymer [film] (see page 7 of 10/19/06 Office Action). The primary reference of Goeman is relied upon to teach the thermoplastic polymer film layer having nonionic fluorochemical surfactants as instantly claimed. Further, Goeman discloses that the film can be coated with an adhesive. The secondary reference of Bradley is relied upon to teach an adhesive with nonionic surfactant. Therefore nothing was relied on that could be gleaned only from the applicant's disclosure. That is what is required for improper hindsight. Accordingly, art rejections are maintained. It is noted that the applicant has not addressed the examiner's rejections of claims 19 and 20.



Art Unit: 1771

**Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Desai whose telephone number is 571-272-6467. The examiner can normally be reached on Monday-Friday, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

APD



**Ms. Arti R. Singh**

Primary Examiner

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